

Appln No. 10/760,205
Amdt. Dated January 17, 2006
Response to Office Action of December 15, 2005

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REMARKS/ARGUMENTS

The Applicant thanks the Examiner for the Official Action dated December 15, 2005. In response to the issues raised, we offer the following submissions.

Claims – 35USC§102

Claims 1 to 5 stand rejected for lack of novelty in light of US 6,364,451 to Silverbrook.

Applicant submits that the cited reference fails to teach the combination of elements defined by Claim 1. The claimed invention requires the starter cartridge to be replaceable with another cartridge which has an improved performance characteristic. Such an arrangement is not taught by the '451 reference. Column 6, lines 1 to 8 describes the black ink cartridge having twice the capacity of the cyan, magenta or yellow cartridges. While increased ink capacity is a performance characteristic of the cartridges of the present invention, the citation does not described the replacement of a cartridge with a lesser ink capacity and replacing it with a cartridge of greater capacity. The black cartridge of '451 has twice the volume of the cyan, magenta or yellow cartridges. However, the cyan, magenta or yellow cartridges are not replaced by the black cartridge. Cartridges can only be replaced with those of like colors.

The method defined by claim 1 requires that the initial or starter cartridge be replaceable with a cartridge having improved performance characteristics. This has not been disclosed by the cited reference. Therefore, the '451 reference fails to anticipate the present invention defined by claims 1 and 2.

Claims – 35USC§103

Claim 3 stands rejected as obvious in light of '451 in view of US 6,033,053 to Eun. Similarly, claims 4 and 5 stand rejected as obvious in light of '451 in view of US 6,851,799 to Trafton et al, and '451 in view of US 6,238,115 to Silverbrook et al, respectively.

As discussed above, '451 fails to disclose an arrangement whereby a starter cartridge is replaceable with a cartridge having improved performance characteristics. Eun, Trafton and '115 to the Applicant also fail to teach this claim element. As the combined disclosures of the cited references do not teach all the elements of the claimed combination, they do not support a §103 rejection. Accordingly, claims 3, 4 and 5 are not obvious in view of the respective citations.

The Applicant respectfully submits that the claim rejections have been successfully traversed. Accordingly favorable reconsideration and allowance of the application is courteously solicited.

Very respectfully,
Applicant:



KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia
Email: kia.silverbrook@silverbrookresearch.com
Telephone: +612 9818 6633
Facsimile: +61 2 9555 7762